

JPW

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/805,161
		Filing Date	3/19/2004
		First Named Inventor	Kimberlin
		Group Art Unit	3673
		Examiner Name	Singh, Sunil
Total Number of Pages in This Submission	13	Attorney Docket Number	D-3054

ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <i>(in duplicate)</i>  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of _____ CD(s)  <div>Remarks</div>	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) <i>(please identify below)</i>

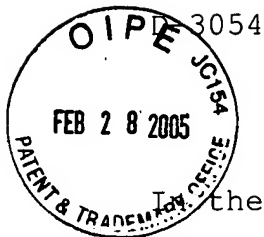
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	Frank J. Uxa Registration No. 25,612
Signature	
Date	2/23/2005

CERTIFICATE OF TRANSMISSION/MAILING			
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FEE TRANSMITTAL for FY 2005 <small>Patent fees are subject to annual revision.</small>		Complete if Known																																																															
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<input checked="" type="checkbox"/> Application claims small entity status. See 37 CFR 1.27		Art Unit	3673																																																														
TOTAL AMOUNT OF PAYMENT (\$)		0	Attorney Docket No. D-3054																																																														
METHOD OF PAYMENT (check all that apply)																																																																	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____																																																																	
<input checked="" type="checkbox"/> Deposit Account      Deposit Account Number <u>21-0890</u> Deposit Account Name <u>Frank J. Uxa</u>																																																																	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)																																																																	
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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																																																																	
FEE CALCULATION																																																																	
1. BASIC FILING, SEARCH, AND EXAMINATION FEES																																																																	
<table border="1"><thead><tr><th rowspan="2">Application Type</th><th colspan="2">FILING FEES</th><th colspan="2">SEARCH FEES</th><th colspan="2">EXAMINATION FEES</th><th rowspan="2">Fees Paid (\$)</th></tr><tr><th>Fee (\$)</th><th>Small Entity Fee (\$)</th><th>Fee (\$)</th><th>Small Entity Fee (\$)</th><th>Fee (\$)</th><th>Small Entity Fee (\$)</th></tr></thead><tbody><tr><td>Utility</td><td>300</td><td>150</td><td>500</td><td>250</td><td>200</td><td>100</td><td></td></tr><tr><td>Design</td><td>200</td><td>100</td><td>100</td><td>50</td><td>130</td><td>65</td><td></td></tr><tr><td>Plant</td><td>200</td><td>100</td><td>300</td><td>150</td><td>160</td><td>80</td><td></td></tr><tr><td>Reissue</td><td>300</td><td>150</td><td>500</td><td>250</td><td>600</td><td>300</td><td></td></tr><tr><td>Provisional</td><td>200</td><td>100</td><td>0</td><td>0</td><td>0</td><td>0</td><td></td></tr><tr><td colspan="7">Subtotal (1)</td><td>0</td></tr></tbody></table>				Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Utility	300	150	500	250	200	100		Design	200	100	100	50	130	65		Plant	200	100	300	150	160	80		Reissue	300	150	500	250	600	300		Provisional	200	100	0	0	0	0		Subtotal (1)							0
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2. EXCESS CLAIM FEES																																																																	
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3. APPLICATION SIZE FEE																																																																	
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).																																																																	
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4. OTHER FEE(S)																																																																	
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<input type="checkbox"/> Non-English Specification: \$130 fee (no small entity discount)																																																																	
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<input type="checkbox"/> 4-month extension of time: \$1590 fee (\$795 small entity discount)																																																																	
<input type="checkbox"/> 5-month extension of time: \$2160 fee (\$1080 small entity discount)																																																																	
<input type="checkbox"/> Information Disclosure Statement Fee: \$180 fee (no small entity discount)																																																																	
<input type="checkbox"/> Notice of Appeal: \$500 fee (\$250 small entity discount)																																																																	
<input type="checkbox"/> Filing a Brief in Support of Appeal: \$500 fee (\$250 small entity discount)																																																																	
<input type="checkbox"/> Request for Oral Hearing: \$1000 fee (\$500 small entity discount)																																																																	
<input type="checkbox"/> Utility Issue Fee: \$1400 fee (\$700 small entity discount)																																																																	
<input type="checkbox"/> Recording each patent assignment per property (times number of properties): \$40 fee (no small entity fee discount)																																																																	
<input type="checkbox"/> Request for Continued Examination: \$790 fee (\$395 small entity discount)																																																																	
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SUBMITTED BY																																																																	
Name (Print/Type)		Frank J. Uxa	Registration No. (Attorney/Agent)	25,612	Telephone	949-450-1750																																																											
Signature					Date	2/23/2005																																																											



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**PATENT**

I the application of:

Kimberlin

Serial No. 10/805,161

Filed: March 19, 2004

For: EROSION CONTROL SYSTEM  
AND METHOD

Group Art Unit:3673

Examiner: Singh, Sunil

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P.O. Box 1450, Alexandria, VA 22313-1450, on or before

2/23/05  
Janet McGhee  
Title  
Date 2/23/05

**RESPONSE A**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is submitted in response to an office action mailed on  
November 23, 2004.

Please amend the above identified application as follows:

**Amendments to the Claims** are reflected in the listing of  
claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.